

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Emma Kaisla	Team: Squad #15	CCRB Case #: 202004254	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Thursday, 06/11/2020 9:20 PM	Location of Incident: § 87(2)(b)	Precinct: 67	18 Mo. SOL 12/11/2021	EO SOL 5/4/2022	
Date/Time CV Reported Mon, 06/15/2020 12:27 PM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Mon, 06/15/2020 12:27 PM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Witness(es)	Home Address
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. CPT Frantz Souffrant	00000	939510	063 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. DTS Delano Skinner	7365	947494	067 PCT
2. LT Chancellor Bishop	00000	936210	067 PCT
3. POM Delio Fernandez	16156	957578	067 PCT
4. POM Ricardo Martinez	19264	950834	067 PCT
5. POM Denis Gamez	07601	949000	067 PCT
6. POM Jared Desalvo	01870	958494	HARBOR
7. POM Dennis Wu	18327	961463	067 PCT
8. SGT Robert Bellantonio	02484	948651	067 PCT
9. POM Brendan Denny	17241	966539	067 PCT

Officer(s)	Allegation	Investigator Recommendation
A.CPT Frantz Souffrant	Abuse: Captain Frantz Souffrant stopped § 87(2)(b)	§ 87(2)(b)
B.CPT Frantz Souffrant	Abuse: Captain Frantz Souffrant stopped § 87(2)(b)	§ 87(2)(b)
C.CPT Frantz Souffrant	Abuse: Captain Frantz Souffrant frisked § 87(2)(b)	§ 87(2)(b)
D.CPT Frantz Souffrant	Abuse: Captain Frantz Souffrant frisked § 87(2)(b)	§ 87(2)(b)
E.CPT Frantz Souffrant	Abuse: Captain Frantz Souffrant searched the vehicle in which § 87(2)(b) was an occupant.	§ 87(2)(b)
#####	OPMN: Captain Frantz Souffrant failed to prepare a stop and frisk report as required.	§ 87(2)(b)

Case Summary

On June 15, 2020, § 87(2)(b) filed this complaint with the CCRB via the online complaint form. On June 29, 2020 § 87(2)(b) also filed a complaint with the CCRB via the online complaint form.

On June 11, 2020, at approximately 9:00 p.m. § 87(2)(b) was driving § 87(2)(b) and a friend § 87(2)(b) home from a Rite Aid in Brooklyn. While driving along Ralph Avenue, the three noticed an unmarked police vehicle following them. With this vehicle following him, § 87(2)(b) dropped § 87(2)(b) at his house without incident, then drove to § 87(2)(b)'s house at § 87(2)(b) in Brooklyn. When § 87(2)(b) parked his vehicle in § 87(2)(b)'s driveway, Capt. Frantz Souffrant of the 63 PCT activated his lights and pulled up behind § 87(2)(b)'s vehicle, blocking it in. Lt. Chancellor Bishop, Det. Delano Skinner, PO Delio Fernandez, PO Ricardo Martinez, PO Denis Gamez, PO Jared Desalvo, PO Dennis Wu, Sgt. Robert Bellantonio, and PO Brendan Denny of the 67 PCT also responded. Capt. Souffrant ordered § 87(2)(b) and § 87(2)(b) out of the vehicle and officers handcuffed them (**Allegations A-B: Abuse of Authority –Stop,** § 87(2)(g). Lt. Bishop frisked § 87(2)(b) (**Allegations C: Abuse of Authority –Frisk,** § 87(2)(g). Captain Souffrant allegedly frisked § 87(2)(b) (**Allegation D –frisk,** § 87(2)(g)). Capt. Souffrant searched § 87(2)(b)'s vehicle (**Allegation E –Vehicle search,** § 87(2)(g)). Then officers released the two men. No arrests were made or summonses issued. § 87(2)(g), § 87(4-b)

There is body-worn camera (BWC) footage of the incident from Det. Skinner, Lt. Bishop, PO Fernandez, PO Martinez, PO Gamez, PO Desalvo, PO Wu, Sgt. Bellantonio, and PO Denny (Board Review 07-15, transcribed in Board Review 16). § 87(2)(b) also provided a video recorded by his brother during the incident (Board Review 17, transcribed in Board Review 18). Captain Souffrant was not equipped with a BWC. The investigation generated a map showing relevant locations (Board Review 30)

Findings and Recommendations

Allegation (A) Abuse of Authority: Captain Frantz Souffrant stopped § 87(2)(b)
Allegation (B) Abuse of Authority: Captain Frantz Souffrant stopped § 87(2)(b)
Allegation (C) Abuse of Authority: Captain Frantz Souffrant frisked § 87(2)(b)
Allegation (D) Abuse of Authority: Captain Frantz Souffrant frisked § 87(2)(b)
Allegation (E) Abuse of Authority: Captain Frantz Souffrant searched the vehicle in which § 87(2)(b) was an occupant

§ 87(2)(b) and § 87(2)(b) both made written complaints via the CCRB's online complaint form (Board Review 01, 04). § 87(2)(b) was interviewed on June 22 and § 87(2)(b) was interviewed on July 2, 2020 (Board Review 02, 05). § 87(2)(b) gave a follow-up statement on July 16, 2020 (Board Review 03). § 87(2)(b) provided a telephone statement on July 17, 2021 (Board Review 06).

It is undisputed that on June 11, 2020, at about 9:00 p.m. Capt. Souffrant, alone in an unmarked police vehicle, began following § 87(2)(b)'s grey vehicle at some point along Ralph Avenue. After § 87(2)(b) parked at § 87(2)(b), Capt. Souffrant pulled his vehicle in behind § 87(2)(b)'s blocking him in. He and additional officers from the 67 PCT told § 87(2)(b) and § 87(2)(b) to put their hands up and step out of the vehicle. Officers handcuffed both men and told them they were stopped in regards to a shooting in in the 63rd precinct. Lt. Bishop frisked § 87(2)(b)

§ 87(2)(b) Capt. Souffrant searched the vehicle, then instructed officers to release § 87(2)(b) and § 87(2)(b). The officers let them go without summonses and left the location. It remains in dispute if Capt. Souffrant frisked § 87(2)(b).

§ 87(2)(b) testified that he, § 87(2)(b) and § 87(2)(b) drove back from the Rite Aid at the corner of Ralph Avenue and Fulton Street. While they drove northbound on Ralph Avenue near Flatlands Avenue, they observed what they believed to be an unmarked police vehicle following them. They drove to § 87(2)(b)'s house, where they double parked across the street. The unmarked police vehicle double parked behind them. § 87(2)(b) exited the vehicle and walked into his house. § 87(2)(b) and § 87(2)(b) waited for the police to make contact, but when no one exited the unmarked police vehicle, § 87(2)(b) drove to § 87(2)(b)'s house. The unmarked police vehicle followed. § 87(2)(b) pulled into the driveway and stopped on his own; then the unmarked police vehicle pulled in behind them and turned on its lights and sirens.

Capt. Souffrant instructed § 87(2)(b) to step out of the vehicle, moved his hands to his back, and handcuffed him. At that point, Capt. Souffrant patted around § 87(2)(b)'s pants pockets and down his legs. He did not pat anywhere else or go into any pockets.

§ 87(2)(b)'s testimony was generally consistent with § 87(2)(b)'s, with the exception that § 87(2)(b) testified they were returning from the Rite Aid at 2064 Mill Avenue, not the Rite Aid at the corner of Fulton Street. § 87(2)(b) drove a grey Ford Fusion with black rims and a dent on the back-right fender. § 87(2)(b) drove, § 87(2)(b) sat in the passenger seat, and § 87(2)(b) sat in the back. Around the intersection of Ralph Avenue and Foster Avenue, § 87(2)(b) noticed the unmarked vehicle following them. At § 87(2)(b)'s house, § 87(2)(b) decided to wait where he was stopped to see if the people in the unmarked vehicle would stop him. He waited there for about 5 minutes, but nothing happened. He then proceeded to § 87(2)(b)'s house. At § 87(2)(b)'s house and at the officers' instruction, § 87(2)(b) opened his vehicle door and stepped out of the car. An officer had him turn against the vehicle, handcuffed him and moved him to the side. He then patted him down. He did not ask for permission to do so. He patted § 87(2)(b)'s shorts pockets and patted the side of his waistband area.

No officer specifically asked for permission to search the car, they only told him that it was happening. § 87(2)(b) told them that was fine and to go ahead because he had no gun and he wanted to end the situation. Capt. Souffrant told § 87(2)(b) he may have blown a sign or failed to signal; § 87(2)(b) was not aware of committing any traffic violations. He did not receive any summonses for traffic violations.

§ 87(2)(b)'s testimony was generally consistent with both § 87(2)(b) and § 87(2)(b) as to the trip to Rite Aid, observation of an unmarked vehicle following them, and the stop at his house. § 87(2)(b) clarified that he was in the passenger seat and § 87(2)(b) was in the back seat. When they arrived at § 87(2)(b)'s house, § 87(2)(b) moved to the passenger seat that § 87(2)(b) had vacated. § 87(2)(b) looked back briefly at the vehicle parked behind them before going into his house. § 87(2)(b) observed § 87(2)(b) drive away from his house followed by the unmarked vehicle.

BWC from Det. Skinner and Lt. Bishop shows Capt. Souffrant approaching § 87(2)(b)'s vehicle on the passenger-side and Lt. Bishop and Det. Skinner approaching the driver's-side. At 1:07 minutes in Det. Skinner's BWC, Lt. Bishop removes § 87(2)(b) from the vehicle, briefly pats his waist, and then steps aside as Det. Skinner cuffs him (Board Review 07). Det. Skinner's BWC captures Capt. Souffrant removing § 87(2)(b) from the vehicle at 1:20 minutes, but the view is obstructed by the vehicle and § 87(2)(b)'s body. Capt. Souffrant was not equipped with a

BWC and was the only officer who initially approached the passenger-side.

Event details from the 63 PCT on June 11, 2020 reveal a shooting occurred at 50 Whitman Drive and was first reported at 8:49p.m. (Board Review 43). Review of 911 recordings shows that none of the 911 callers provided any details about the shooting suspect(s) in their calls (Board Review 23-27, transcribed in Board Review 28).

Review of the recordings of radio transmissions from the 63 PCT that night contain the following information:

- At approximately 8:55p.m. (5:00 minutes into the received recording) officers put over “two males.... no description, just two males... have a firearm.”
- At approximately 8:57p.m. (7:18 minutes into the received recording) an officer states “possible vehicle silver car, fled westbound on Whitman, as of right now no plate.”
- At approximately 8:58p.m. (8:10 minutes into the received recording) the 63 Sgt. reports that the suspect is “Hispanic, approached victim, asked time, took watch, fired, and fled eastbound on Whitman... in a silver vehicle, that’s all we got.”
- At approximately 8:58p.m. (8:55 minutes into the received recording) an officers states “two Hispanic males.”
- At approximately 9:00 p.m. (10:00 minutes into the received recording) an officer states the description is a silver car with two Hispanic males.
- At approximately 9:01p.m. (11:15 minutes into the received recording) the 63 Sgt. reports “one Hispanic male wearing a t-shirt and blue jeans, other male Hispanic is heavysset.”
- At approximately 9:05p.m. (15:15 minutes into the received recording) an officer who identifies himself as the 63 Executive Officer – and determined by the investigation to be Capt. Souffrant states he is following a vehicle on “Convent Drive” and says something else that is inaudible. There is no Convent Drive in Brooklyn. He states he is in the 67 PCT, then gives his location as Avenue B and East 86th, then East 87th. Capt. Souffrant asks dispatch for units from 67 to respond to his location.
- At approximately 9:07p.m. (17:45 minutes into the received recording) the Capt. Souffrant states he does not need more support as he has 67 units responding.
- At approximately 9:18p.m. (28:33 minutes into the received recording) an officer confirms the Capt. Souffrant is at East 56th and Clarendon for a car stop.
- At approximately 9:19p.m. (29:00 minutes into the received recording) the Capt. Souffrant reports the car stop is negative. (Board Review 19)

The investigation was unable to obtain the recordings of the communications Capt. Souffrant had with officers in the 67 PCT because he had switched radio frequencies.

Capt. Souffrant testified that when responding to the shooting on Whitman Drive he turned onto Ralph Avenue heading southbound. While driving southbound, he heard over the radio that there were two suspects and they were looking for a possible silver vehicle fleeing Whitman Drive. He did not have any additional information or descriptions of the suspects themselves. He did not receive any information from any other source besides the radio. Ralph Avenue is two lanes in each direction. Capt. Souffrant was in the left lane going southbound and observed a grey vehicle with two occupants traveling at a high rate of speed in the left lane going northbound. He did not recall if the grey vehicle had tinted windows. He was only able observe that there were two occupants through the front window. Capt. Souffrant was not able to observe anyone else inside the vehicle. He did not remember exactly where along Ralph Avenue he observed this grey vehicle but estimated it was about six blocks away from the shooting location. Capt. Souffrant could not recall anything about the road or lighting conditions at the time. While there were probably other silver or grey vehicles on the road at the time, and speeding on its own is not necessarily noticeable, Capt. Souffrant also observed the vehicle blow through a red light and then continue to blow multiple red lights. The vehicle also had two occupants and it was grey; he therefore thought someone might

have mistaken it for silver. Because of the timing and location, that it was grey, had two occupants, was speeding, and blew a red light, he thought it might be involved in the shooting and decided to follow it. At that point there was no more specific description of the suspects; the only description he had was a silver vehicle fleeing the scene. There was no other reason to follow the vehicle. Though Capt. Souffrant initially stated the fact that there were two occupants was a factor in his decision to follow the vehicle, he later stated that he knew at some point it went over the radio that two occupants were involved but he was not sure if he knew that then.

Capt. Souffrant followed and did not observe it commit any other traffic violations besides driving through the red lights. Capt. Souffrant did not immediately pull over the vehicle after witnessing it drive through red lights because he was by himself. As he followed it, he put it over the radio but switched frequencies because he was entering the 67 PCT. He told them he was following a vehicle in relation to a male shot and needed back up. By the time the 67 PCT units arrived, the grey vehicle coincidentally pulled into the driveway at § 87(2)(b). The grey vehicle made no stops between when Capt. Souffrant first observed it and § 87(2)(b). He did not recall stopping at § 87(2)(b) or at the intersection of § 87(2)(b). He never lost sight of the grey vehicle for any amount of time. He did not recall the vehicle stopping and letting out a passenger near the intersection of § 87(2)(b). After reviewing a map of showing § 87(2)(b) and its distance from § 87(2)(b), Capt. Souffrant still did not recall making a stop there or anyone exiting the vehicle at that location.

As he approached, Captain Souffrant told the passenger, identified by the investigation as § 87(2)(b), to get out of the car and § 87(2)(b) complied. As soon as he opened the door, Capt. Souffrant grabbed him by the hands and walked him back towards the back of the vehicle. Capt. Souffrant did not handcuff § 87(2)(b) but an officer did once he was at the back of the vehicle. Capt. Souffrant did not frisk or pat down § 87(2)(b). Capt. Souffrant had no physical interaction with him after taking him by the hands and bringing him to the back of the car. He did not know if anyone else frisked him. He was not aware if any officer frisked or searched the driver. While speaking to the 67 PCT officers he did not give any other directions besides instructing them to take the occupants into custody and telling other extra arriving units to resume patrol. He never specifically directed officers to frisk and search the occupants, but assumed they may have done so since prior to the stop he made sure the officers were aware it was in relation to a male shot, “providing [them] with reasonable suspicion.”

Capt. Souffrant searched the vehicle. He was the only one who searched it. Capt. Souffrant checked the vehicle by looking at the driver’s-side and passenger-side, primarily under the seats. Based on his knowledge and experience, people tend to hide firearms there. Capt. Souffrant did not look anywhere else. He found loose marijuana leaves on the floor and console. There was no other contraband. He did not take any action regarding this marijuana because he exercised his discretion.

Lt. Bishop’s testimony was generally consistent with Capt. Souffrant’s. On approaching the grey vehicle, he did not look inside and did not see anything in the vehicle indicating the presence of weapons. The captain told Lt. Bishop and Det. Skinner to put the occupants in cuffs. He gave them no other instructions. Lt. Bishop did not recall observing any bulges on the body of § 87(2)(b). Lt. Bishop patted § 87(2)(b)’s waistband and nowhere else. He patted him down due to the nature of the crime the captain had told him the vehicle may have been involved in—a shooting where someone was shot and likely to die. He had received this information over the radio and did not get any additional information on scene. At the time he had no other details about how the captain had identified this car or began following it. Lt. Bishop did not himself observe anything on scene that led him to believe the driver might have a weapon.

Although § 87(2)(b) testified they went to a Rite Aid on Fulton Street and Ralph Avenue, given § 87(2)(b)'s testimony that they went to the Rite Aid on 2064 Mill Avenue, § 87(2)(b)'s own testimony that the three men were driving northbound (Fulton Street and Ralph Avenue cross north of the incident location), and officer testimony about the position of the vehicle consistent with § 87(2)(b)'s recollection, the investigation determined that § 87(2)(b) misremembered the address of the Rite Aid and the men were driving from the Rite Aid on Mill Avenue, near the entrance to Mill Basin. Per Google Maps, this Rite Aid is slightly less than a mile from 50 Whitman Drive, the shooting location (Board Review 37). It is nearby but not on Ralph Avenue. The distances between 50 Whitman Drive and the intersections where § 87(2)(b) and § 87(2)(b) first observed the unmarked police vehicle following them are 1.7 miles (an approximately 8-minute drive) and 2.3 miles (12-minute drive) respectively. The distance between 50 Whitman Drive and the incident location at § 87(2)(b) is about 2.8 miles, an approximately 15-minute drive. Capt. Souffrant testified he first observed § 87(2)(b)'s vehicle about 6 blocks from the shooting location but did not recall where exactly, and both § 87(2)(b) and § 87(2)(b) testified they first observed him farther along Ralph Avenue. Capt. Souffrant first reported over the radio that he was following a vehicle on Avenue B and 86th/87th Street, much farther away from the shooting location. The investigation was unable to determine the exact time or location where Capt. Souffrant first observed § 87(2)(b)'s vehicle, though given that the men were driving on Ralph Avenue already when Capt. Souffrant observed them, the closest they could have been to 50 Whitman at the time was about 1 mile (Board Review 37).

§ 87(2)(g)

§ 87(2)(b), § 87(2)(b) and § 87(2)(b) all stated that the unmarked police vehicle later revealed to be Capt. Souffrant's followed them to § 87(2)(b)'s house and remained behind them as § 87(2)(b) exited the vehicle and entered his home. § 87(2)(b)'s address was § 87(2)(b)

Although Capt. Souffrant denied that § 87(2)(b)'s vehicle ever made any stops, let out any passengers, or stopped at § 87(2)(b) the second time he put his location over the radio as following a vehicle the location he provided—§ 87(2)(b) is almost exactly § 87(2)(b)'s address (Board Review 30). Capt. Souffrant relayed his location as § 87(2)(b)'s block at the approximate time § 87(2)(b), § 87(2)(b) and § 87(2)(b) alleged they were there. While § 87(2)(b) is friends with § 87(2)(b) and § 87(2)(b) since he was not a victim or even present for the police encounter at § 87(2)(b)'s and given that § 87(2)(b)'s presence in the car is not, especially to untrained civilians, obviously either exculpatory or inculpatory evidence, the investigation finds little reason to suggest § 87(2)(b) or the complainants manufactured this detail. Therefore, the investigation credits that § 87(2)(b) was in the vehicle and that § 87(2)(b) dropped § 87(2)(b) off at his home before proceeding to § 87(2)(b)'s home.

Given BWC and consistent officer testimony, the investigation determined that Lt. Bishop frisked § 87(2)(b). Although he physically conducted the frisk of § 87(2)(b) because Capt. Souffrant initiated the car stop, was the supervisor on scene, provided the officers from the 67 PCT with the information that the stopped vehicle matched a description and was possibly involved in a shooting, because Lt. Bishop testified he frisked § 87(2)(b) for no other reason than the information received from Capt. Souffrant, and because the captain testified specifically that he provided the 67 PCT officers with "reasonable suspicion," this allegation is pled against Capt. Souffrant alone. Because Capt. Souffrant had no BWC recording and the view of his removal of § 87(2)(b) from the vehicle is obstructed in all available footage by the vehicle and the bodies of

§ 87(2)(b) and Lt. Bishop, the investigation could not determine whether Capt. Souffrant frisked § 87(2)(b) immediately on his exiting from the vehicle.

NY CLS CPL § 140.50(3) allows an officer to conduct a frisk after a stop if they reasonably suspect they are in physical danger (Board Review 35).

People v. DeBour, 1976 40 N.Y. 2d 210 found that in order to stop a person, a police officer must have reasonable suspicion that the person has committed, is committing, or is about to commit a crime (Board Review 33).

In People v. Mack, 26 N.Y.2d 311 the New York Court of Appeals found that a frisk is permitted in the absence of a specific, articulated danger when an officer stops a suspect on a reasonable belief the suspect committed a violent crime (Board Review 36)

People v. Ceruti, 133 A.D.3d 610 based on a radio transmission indicating the make and color of the vehicle involved in a robbery stopped in close geographical proximity (about 1 mile) and within less than 20 minutes from time of the robbery constituted reasonable suspicion (Board Review 32)

In People v. Brooks 266 A.D.2d 864 the court found that officers who stopped defendants based on information that a robbery had been committed by three black males in a green automobile, even within 30-35 minutes of the robbery and within a mile of the incident location did not have sufficient reasonable suspicion (Board Review 34).

These cases consider 1) the degree of specificity of the description of vehicle and occupants and 2) the spatial and temporal nexus between the car and crime location when determining whether a vehicle description provided officers reasonable suspicion to conduct a stop. Further complicating the analysis is the fact that while Capt. Souffrant may have been justified in conducting a stop of § 87(2)(b)'s vehicle if he did observe him commit a traffic violation, Capt. Souffrant did not stop § 87(2)(b) for his alleged traffic violations. His decision to wait for additional units resulted in the stop occurring after § 87(2)(b) had independently stopped his vehicle at his destination. Only at that point did Capt. Souffrant engage his lights and sirens, initiating the stop, making the allegation a stop of § 87(2)(b) and § 87(2)(b)'s persons.

Capt. Souffrant testified the factors which provided his reasonable suspicion for the stop were: § 87(2)(b)'s vehicle was grey, close to the shooting location (roughly six blocks), had two occupants, it blew multiple red lights, and was traveling above the posted speed limit of 25 mph on what he believed to be a likely escape corridor out of Mill Basin. While the description he had was for a silver vehicle, he thought someone may have mistaken the grey vehicle for silver. While a review of the recordings shows that at the time Capt. Souffrant reported he was following the vehicle, the description available was for a Hispanic male with a t-shirt and blue jeans and a heavyset Hispanic male in a silver vehicle, Capt. Souffrant testified he did not have pedigree descriptions for the subjects when he developed his suspicion and further that he could not see inside the vehicle beyond to determine there were two occupants when he chose to stop it. Capt. Souffrant did not testify he believed either § 87(2)(b) or § 87(2)(b) fit these descriptions.

The stop occurred within three miles and 20 minutes of the shooting location, and Capt. Souffrant initially observed the vehicle in even closer geographic and temporal proximity. While Capt. Souffrant's observations that the vehicle was driving in the opposite direction from the shooting location at a high rate of speed while committing traffic infractions to be not irrelevant, the captain had little to specifically connect his observation of a vehicle disobeying traffic laws on a major thoroughfare to the shooting. § 87(2)(g)

§ 87(2)(g)

While a silver and grey vehicle might conceivably be mixed up, they might just as easily be distinguished. The radioed description of a “silver vehicle” was extremely general; the captain had no make, model, nor size, and the color provided was one of the most common vehicle colors, and liable, by the captain’s own testimony, to be confused for another. Capt. Souffrant conceded that there were probably numerous other silver and grey vehicles on the street at the time. Further, as discussed above, the investigation determined that there were in fact three people in § 87(2)(b)s vehicle and not two. While the presence of a third person in the back seat would not necessarily be apparent when Capt. Souffrant initially observed the vehicle on the road at night, that § 87(2)(b) exited the vehicle and entered his house and that § 87(2)(b) moved from the back to the front seat while Capt. Souffrant was already following the vehicle makes his reasoning that there were two occupants inside the vehicle less credible. § 87(2)(g)

Here, Capt. Souffrant had even less § 87(2)(g) only a loosely corresponding vehicle color, three vehicle occupants instead of the described two, and no description of the subjects (or in any case not one that Capt. Souffrant used, given he was not able to see inside the vehicle when he decided to make the stop), and a geographic distance greater than a mile. § 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g), § 87(4-b)

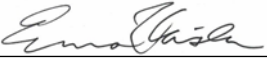

Civilian and Officer CCRB Histories

- This is the first complaint to which either § 87(2)(b) or § 87(2)(b) has been a party (Board Review 38-39).
- Captain Souffrant has been a member of service for 16 years and has been a subject in two prior CCRB complaints with seven allegations, of which three were substantiated:
 - 201007219 involved substantiated allegations of a stop, frisk, and vehicle search for which the Board recommended charges and the NYPD issued Command Discipline B.

Mediation, Civil, and Criminal Histories

- § 87(2)(b) declined to mediate his complaint.
- As of August 6, 2021, the New York City Office of the Comptroller has no record of a Notice of Claim being filed in regards this to this complaint (Board Review 42).
- § 87(2)(b)

Squad: 15

Investigator:		Inv. Emma Kaisla	12/13/21
	Signature	Print Title & Name	Date
Squad Leader:		IM Simon Wang	01/21/22
	Signature	Print Title & Name	Date
Reviewer:			
	Signature	Print Title & Name	Date